

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

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|--------------------|---|-------------------------------------|
| In re:             | : | Case No. 17-23618-GLT               |
|                    | : |                                     |
| Donald W. Millard, | : | Related to Dkt. No. 44              |
| Cheryl D. Millard  | : |                                     |
| <i>Debtors.</i>    | : | Hearing: April 16, 2020 at 10:00 AM |
|                    | : |                                     |

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**ORDER CONVERTING CASE UNDER CHAPTER 13 TO  
CASE UNDER CHAPTER 7, SETTING DEADLINES, SCHEDULING  
STATUS CONFERENCE, AND TERMINATING WAGE ATTACHMENT**

The Debtors filed a motion to convert their chapter 13 case in accordance with 11 U.S.C. §1307(a) to a case under chapter 7 of title 11 of the U.S. Code.

Based upon the foregoing, it hereby is **ORDERED, ADJUDGED, and DECREED** that:

1. On or before April 10, 2020, any party-in-interest who challenges the good faith of the conversion shall file a motion setting forth the basis of the challenge and specifically identifying the relief requested.
2. The wage attachments issued in this case are immediately terminated. The Debtors shall serve a copy of this order on the employers.
3. On or before March 27, 2020, the Debtor shall file a schedule of all unpaid debts incurred after the commencement of the chapter 13 case and before conversion as required by FED. R. BANKR. P. 1019(5)(B)(i).
4. On or before March 27, 2020, the Debtors shall file the statements and schedules required by FED. R. BANKR. P. 1019(1)(A) and 1007(b), if such documents have not already been filed.
5. On or before April 12, 2020, the Debtors shall file a statement of intention with respect to the retention or surrender of estate property securing a debt, as required by 11 U.S.C. §521(a)(2) and FED. R. BANKR. P. 1019(1)(B) and conforming to Official Form 8.
6. The chapter 13 trustee shall immediately turn over to the chapter 7 trustee all records and property of the estate remaining in her custody and control, as required by FED. R. BANKR. P. 1019(4), except that any remaining funds that do not constitute property of the chapter 7 estate shall be returned to the Debtors.
7. On or before May 12, 2020, the chapter 13 trustee shall file an accounting of all receipts and distributions made using UST Form 13-FR-S: Chapter 13 Trustee's Final

Report and Account. Once she has done so, the chapter 13 trustee is discharged from her duties in this case. The Court retains jurisdiction over the final report and account.

8. If the case is converted after the confirmation of a plan, then on or before April 12, the Debtors shall file:
- a. A schedule of all property not listed in the final report and account of the chapter 13 trustee which was acquired after the commencement of the chapter 13 case but before the entry of this conversion order, as required by FED. R. BANKR. P. 1019(5)(C)(i);
  - b. A schedule of unpaid debts not listed in the chapter 13 trustee's final report and account, as required by FED. R. BANKR. P. 1019(5)(C)(ii); and
  - c. A schedule of executory contracts and unexpired leases entered into or assumed after the commencement of the chapter 13 case but before the entry of this conversion order, as required by FED. R. BANKR. P. 1019(5)(C)(iii).

The schedule of claimants under subsection (b) of this paragraph shall be filed by entering additional claimants into the CM/ECF system via "Creditor Maintenance." A list of said claimants shall be attached to the FED. R. BANKR. P. 1019 Report.

9. If the Debtor fails to timely file the documents required by this *Order* and FED. R. BANKR. P. 1019, a status conference shall be held on April 16, 2020 at 10:00 AM in Courtroom A, 54th Fl., U.S. Steel Tower, 600 Grant St., Pittsburgh, Pa. 15219 to determine whether additional measures are necessary to compel compliance.
10. The Clerk of Court shall send the notice required by FED. R. BANKR. P. 1019(6). If the report and schedules per paragraphs 3, 8(b), and 8(c) of this *Order* are filed in time for the Clerk to include postpetition creditors in the § 341 notice mailing, the Clerk shall include them in that mailing. Otherwise, the Clerk shall send the notice required by FED. R. BANKR. P. 1019(6) **within ten days of the filing of the report and schedules.**
11. On or before April 27, 2020, all chapter 13 fee petitions by any professional shall be filed. Any fee petition shall be captioned "Chapter 13 Fee Petition in Converted Case," and its hearing shall be self-scheduled on Judge Taddonio's chapter 13 motions calendar.
12. On or before March 18, 2020, counsel for the Debtors shall serve a copy of this *Order* on all creditors in the case and file a Certificate of Service.

Dated: March 13, 2020

  
GREGORY L. TADDONIO  
UNITED STATES BANKRUPTCY JUDGE

Case administrator to mail to:  
Debtors  
Debtor counsel  
Ronda J. Winnecour, Esq.  
Office of the U.S. Trustee

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
Western District of Pennsylvania

In re:  
Donald W. Millard  
Cheryl D. Millard  
Debtors

Case No. 17-23618-GLT  
Chapter 7

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dpas  
Form ID: pdf900

Page 1 of 1  
Total Noticed: 2

Date Rcvd: Mar 16, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 18, 2020.

db/jdb +Donald W. Millard, Cheryl D. Millard, 1270 Ridge Road, Apollo, PA 15613-8973  
Ronda Winnecour, Esq., 3250 U.S. Steel Tower, Pittsburgh, PA 15219, US

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Mar 18, 2020

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 16, 2020 at the address(es) listed below:

Charles O. Zebley, Jr. COZ@Zeblaw.com, PA67@ecfcbis.com;Lyndie@Zeblaw.com  
James Warmbrodt on behalf of Creditor U.S. Bank National Association, as indenture trustee,  
for the CIM Trust 2016-1, Mortgage-Backed Notes, Series 2016-1 bkgroup@kmlawgroup.com  
Kenneth Steidl on behalf of Debtor Donald W. Millard julie.steidl@steidl-steinberg.com,  
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@st  
eidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-ste  
inberg.com  
Kenneth Steidl on behalf of Joint Debtor Cheryl D. Millard julie.steidl@steidl-steinberg.com,  
ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@st  
eidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-ste  
inberg.com  
Office of the United States Trustee ustpregion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
S. James Wallace on behalf of Creditor Peoples Natural Gas Company LLC sjw@sjwpgh.com,  
srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 7